

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

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AHAMED RALLY

17 CV 5750

Plaintiff(s),

v.

**DEFENDANTS DEMAND
TRIAL BY JURY**

ROBERT KIRKBRIDE, CON-WAY FREIGHT, INC.
AND JOHN DOE 1010 (fictitiously named) and ABC Co.
1-10 (fictitiously named)

NOTICE OF REMOVAL

Defendant(s).

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THE JUDGES OF THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF NEW JERSEY

Removing defendants, Robert Kirkbride and Con-way Freight, Inc., by and through their attorneys, Law Offices of John C. Lane, allege upon information and belief as follows:

1. Plaintiff Ahamed Rally has commenced an action in the Superior Court of New Jersey, Bergen County, against the removing defendants. A true copy of the summons and complaint in said action are annexed hereto, collectively, as **Exhibit A**.

2. The complaint alleges that plaintiff Ahamed Rally was caused to sustain certain injuries and damages as a result of the alleged negligence of defendants on or about June 23, 2015. According to the complaint, plaintiff Ahamed Rally is a resident of Kings County, New York.

3. Removing defendant, Robert Kirkbride, is a resident of the State of Vermont, having his residence at 15 Thompson Avenue, Ludlow, Vermont, a State other than the State of New York.

4. Removing defendant, Con-way Freight, Inc., is a Delaware corporation having its principal place of business at Ann Arbor, Michigan, States other than the State of New York.

5. Although service of process has not been effected upon either of the Removing Defendants, their undersigned counsel obtained a copy of the complaint by facsimile from the

Superior Court Clerk on July 7, 2017, less than thirty days before the filing of this Notice of Removal. Therefore, removal is timely.

6. Plaintiff has made a settlement demand of \$450,000, and amount in excess of \$75,000, exclusive of interest and costs.

7. Accordingly, this Court has subject matter jurisdiction of this action pursuant to 28 U.S.C. § 1332 and removing defendants, Robert Kirkbride and Con-way Freight, Inc. are entitled to removal of this action pursuant to 28 U.S.C. §§ 1441 and 1446.

WHEREFORE, removing defendants, Robert Kirkbride and Con-way Freight, Inc. hereby give notice of the removal of plaintiff's action to this Court pursuant to 28 U.S.C. §§ 1441 and 1446.

Dated: Sparta, New Jersey
August 4, 2017

Yours, etc.

/s/ ***John C. Lane***

JOHN C. LANE (JL2569)
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